

ORDINANCE NO. 23-016

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** TWO (2) PARCELS CONTAINING APPROXIMATELY 6.88 ACRES GENERALLY LOCATED AT OR NEAR **901-1001 SOUTH OCEAN DRIVE**, FROM HUTCHINSON ISLAND MEDIUM DENSITY RESIDENTIAL ZONE (R-4A) TO PLANNED DEVELOPMENT (PD); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is generally located at or near 901-1001 South Ocean Drive within the City of Fort Pierce, Florida, representing approximately 6.88 acres of land more or less: and

WHEREAS, Patrick Soares, Architect, has applied for rezoning of the subject property generally located at or near 901-1001 South Ocean Drive from Hutchinson Island Medium Density Zone, R-4A to Planned Development, PD, and

WHEREAS, the proposed zoning atlas map amendment (rezoning) is consistent with the comprehensive plan, will not have an adverse effect on the ability of the city to satisfy land and water use needs and will meet transportation demands and provide community facilities and services, and will promote and protect the public health, safety and general welfare as required by City Code 125-136; and

WHEREAS, the City of Fort Pierce Planning Board, at their December 12, 2022, meeting, voted to recommend approval of the request; and

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. From and after the effective date hereof, the following property legally described respectively as:

Parcel IDs: 2401-412-0004-000-0 & 2401-412-0005-000-7

LEGAL DESCRIPTIONS:

01 35 40 THAT PART OF GOVT LOT 5 MPDAF: FROM NW COR GOVT LOT 5 RUN N 81 DEG 01 MIN 30 SEC E 205.42 FT TO W R/W A1A, TH S 19 DEG 18 MIN E ALG SD R/W 400 FT TO POB, TH CONT ON SD R/W 305 FT, TH S 70 DEG 42 MIN W 468.47 FT TO W LI GOVT LOT 5, TH N 0 DEG 25 MIN 20 SEC E ALG SD W LI 324 FT, TH N 70 DEG 42 MIN E 359.15 FT TO POB (2.90 AC)

AND

01 35 40 THAT PART OF GOVT LOT 5 MPDAF: FROM NW COR GOVT LOT 5 RUN N 81 DEG 01 MIN 30 SEC E 205.42 FT TO W R/W A1A, TH S 19 DEG 18 MIN E ALG SD R/W 705 FT TO POB, TH CONT ON R/W 453.05 FT TO N R/W 50 FT CRESTVIEW DR, TH S 89 DEG 41 MIN W ALG SD N R/W 594.89FT TO W LI GOVT LOT 5, TH N 0 DEG 25 MIN 20 SEC E 275.71 FT, TH N 70 DEG 42 MIN E 468.47 FT TO POB(4.32 AC) (OR 1799-2419)

CONTAINING 6.88 ACRES, MORE OR LESS

Said property being generally located at or near 901-1001 South Ocean Drive in Fort Piece, Florida shall be, and the Zoning Designation is hereby changed from Hutchinson Island Medium Density Zone, R-4A to Planned Development, PD, as depicted on Exhibit "A" attached hereto and incorporated herein.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. The Site Plan depicted on Exhibit "B" is hereby approved with this Ordinance.

SECTION 4. The Planned Development is subject to the Development Conditions attached at Exhibit "C" and hereby approved with this Ordinance.

SECTION 5. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 6. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

Tanya M. Earley
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 23-016 was duly advertised by title only in the St. Lucie News Tribune on Sunday, January 22nd, 2023; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on February 6th, 2023; and was duly introduced, read by title only, and passed on second and final reading February 21st 2023, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HERewith, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 21st day of February 2023.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(CITY SEAL)

EXHIBIT A
Proposed Zoning Atlas Map Amendment
from Hutchinson Island Medium Density Zone, R-4A to Planned Development, PD
Property Location

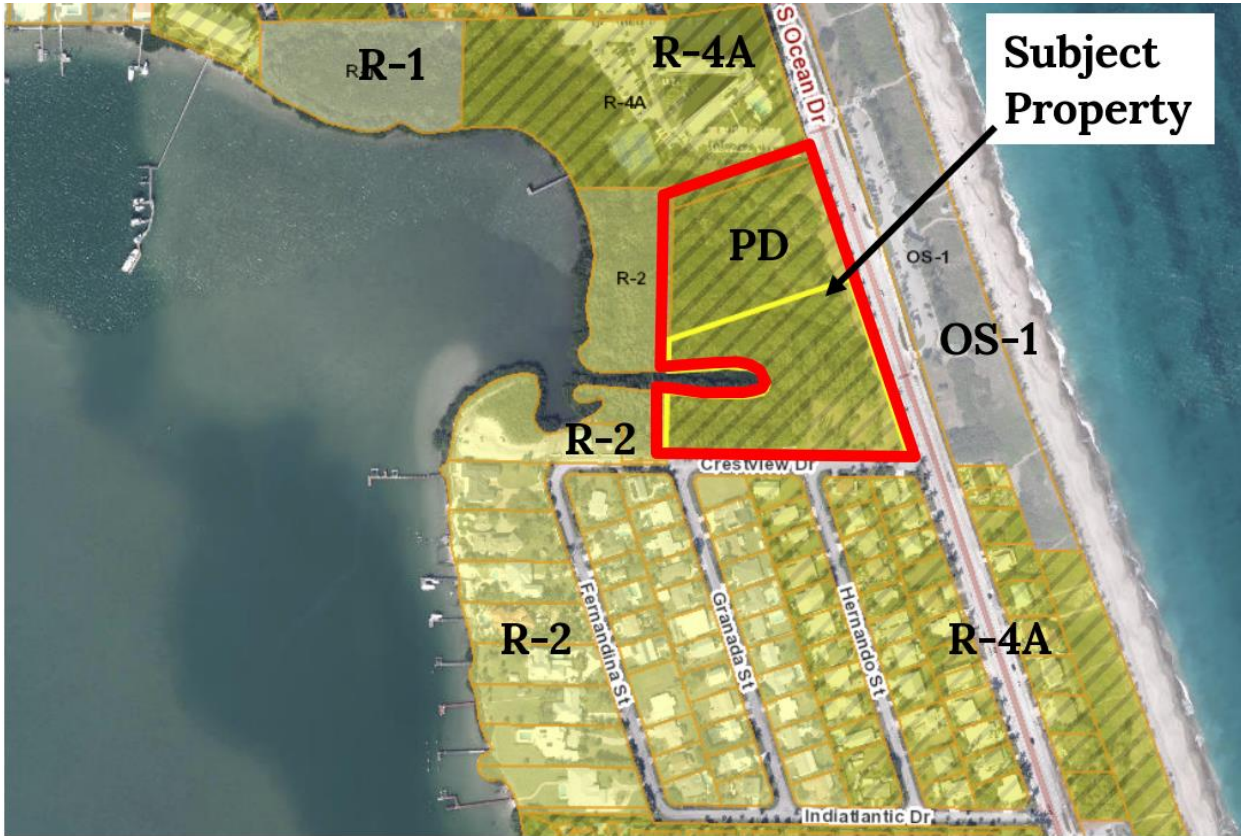


Exhibit B
Site Plan

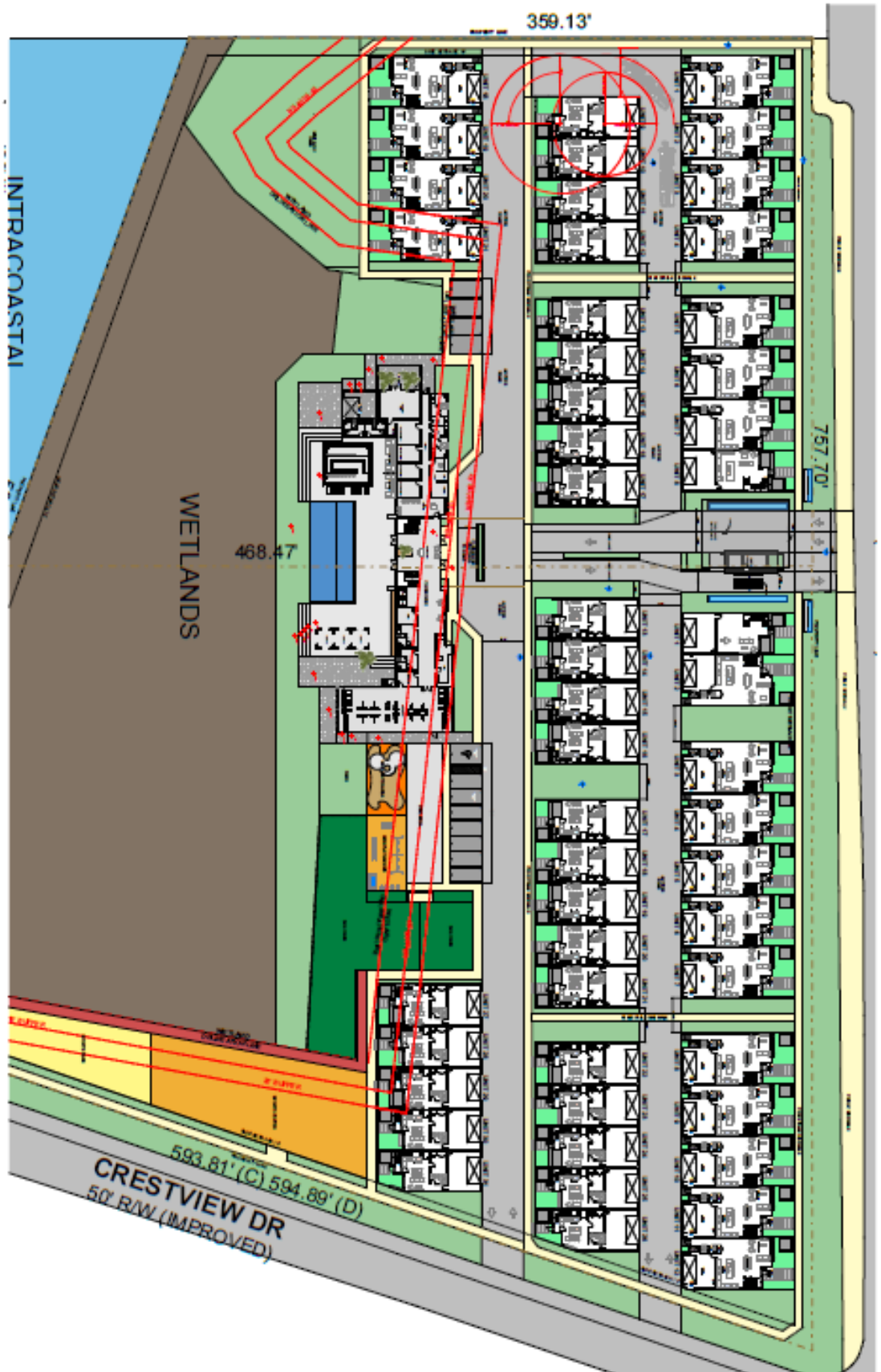


Exhibit C
Development Conditions

1. The parcels subject of this ordinance and zoned PD, shall conform to the following:
 - a. Site Plans, titled 'Oasis Townhomes', prepared by Field Agency Architecture, Drawings A1.00 through A1.08, dated 7/27/22.
 - b. Survey and Topographical plans, prepared by Masteller, Moler & Taylor. Inc. Plan set 1-3, Rev dated 7/14/22.
 - c. Conceptual Drainage Plan/Utility Plan, titled 'Entre Palmas Townhomes', prepared by HSQ group, dated 10/27/22.
 - d. Landscape Plan set, titled 'Oasis Townhomes', prepared by Cotleur & Hearing, dated 10/27/22.
 - e. Photometric Plans, titled 'Entre Palmas Townhomes', prepared by HSQ group, dated 10/27/22.
2. Prior to submittal of Development Site Permit (through the City's DPCR process), a State wetland formal jurisdictional determination shall be conducted and approved by SFWMD to determine the exact boundaries of the wetlands located on site. Further wetland evaluation and assessment shall be conducted to further determine mitigation options available for this site.
3. A detailed Stormwater and Drainage plan, and statement shall be submitted at time of Development Site Permit (through the City's DPCR process).
4. The Development Site Permit (through the City's DPCR process) shall include all agreements, provisions and covenants which govern the use, maintenance, and continued protection of the planned development and any of its common open space or other shared areas. This material shall include material which binds successors in title to any commitments concerning completion of the project and its maintenance and operation.
5. A detailed Sediment & Control Plan shall be submitted at time of Development Site Permit (through the City's DPCR process).
6. A detailed Grading Plan shall be submitted at time of Development Site Permit (through the City's DPCR process).
7. Prior to application for Development Site Permit (through the City's DPCR process), the applicant shall discuss the provision of a school bus stop on Crestview Dr with the School District.
8. Prior to any site clearing, an application for a tree removal permit shall be submitted to the City for review.
9. A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be completed prior to the issuance of any Building Permit.
10. After completion of the Unity of Title and Lot Combination, a General Address Request Form for the newly created Parcel ID and for any and each proposed building and residential unit shall be submitted to the Planning Department